

MAR. 14. 2008 10:52AM

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01:41:03 p.m. NO. 99618 P. 2 2/3

To: Sara Evans Page 2 of 3

2008-03-12 16:38:43 (GMT)

16466194631 From: Mark Lubelsky

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S.W. REALTY MGMT. INC. - MARK LUBELSKY

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08:17:47 p.m. 01.07.2008

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Claim of MILLINIA GARDINER, an
infant under the age of 14 years, by her mother and natural
guardian, MICHELLE MUMFORD, CHARLES
GARDINER, an infant under the age of 14 years, by his
mother and natural guardian, MICHELLE MUMFORD,
and MICHELLE MUMFORD, Individually,

STIPULATION ON
DISMISSAL AND
DISCONTINUANCE

07 CV 7938 (JSR)

Plaintiffs,

-against-

CITY OF NEW YORK, THE NEW YORK CITY POLICE
DEPARTMENT, and THE NEW YORK CITY HOUSING
AUTHORITY,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3-17-08

WHEREAS, plaintiffs Michelle Mumford, individually and as natural guardian
of infant plaintiffs Millinia Gardiner and Charles Gardiner, Millinia Gardiner, and Charles
Gardiner commenced this action by filing a complaint on or about September 10, 2007, alleging
that certain of their constitutional rights were violated; and

WHEREAS, defendants City of New York, the New York City Police
Department and the New York City Housing Authority have denied any and all liability arising
out of plaintiffs' allegations; and

WHEREAS, plaintiff Michelle Mumford, as an individual plaintiff and as the
natural guardian of infant plaintiffs Millinia Gardiner and Charles Gardiner, has authorized
counsel to voluntarily withdraw plaintiffs' claims as against defendants; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation,
without further proceedings and without admissions of fault or liability;

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To: Seth Evans Page 3 of 3

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16466194631 From: Mark Lubelsky

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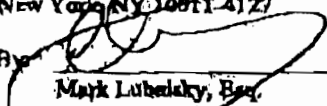
IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties herein, that all claims that were asserted or could have been asserted on behalf of plaintiffs in this action arising out of the events alleged in the complaint as against the City of New York, the New York City Police Department, the New York City Housing Authority, any unidentified individuals, their successors, or assigns, and all past and present officials, employees, representatives and agents of the City of New York, the New York City Police Department and the New York City Housing Authority, are hereby dismissed and discontinued with prejudice and without attorneys' fees or costs to any party.

Dated: New York, New York

January 12, 2008
HLC

Mark Lubelsky, Esq.
Mark Lubelsky and Associates
Attorney for Plaintiffs
123 West 18th Street
New York, NY 10011-4127

By:


Mark Lubelsky, Esq.
Attorney for Plaintiffs

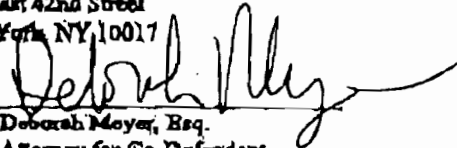
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By:


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By:


Deborah Meyer, Esq.
Attorney for Co-Defendant

SO ORDERED

U.S.D.J.

3-14-08